

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. 2:17-MC-00068-RSL

Plaintiff,

(2:15-CR-0395-1)

vs.
MAZIAR REZAKHANI,

**Form Answer of the
Garnishee**

Defendant/Judgment Debtor,

and

TROY CURRAN,

Garnishee.

I am the above-named Garnishee or authorized by the Garnishee to make this declaration on its behalf, regarding the Writ of Continuing Garnishment.

On, July 17th, 2017, Garnishee was served with the Writ of Continuing Garnishment.

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1 **I. QUESTIONS 1 THROUGH 6 TO BE ANSWERED**

2 For the pay period in effect on the date of service:

3 **ANSWERS:**

1.	The Judgment Debtor was employed by my/our office.	Yes	No	<input checked="" type="checkbox"/>
2.	The Judgment Debtor's pay period is (weekly, monthly, etc.)	Describe Payment Period: <i>N/A</i>		
3.	Enter the date the present pay period began:	<i>N/A</i>		
4.	Enter the date the present pay period ends:	<i>N/A</i>		
5.	Gross Pay:	\$	<i>N/A</i>	
	Federal Income Tax:	\$	<i>N/A</i>	
	F.I.C.A. Income Tax:	\$	<i>N/A</i>	
	State Income Tax:	\$	<i>N/A</i>	
	Total of Tax Withholdings:	\$	<i>N/A</i>	
	Net Wages (subtract tax withholdings from gross pay):	\$	<i>N/A</i>	
6.	Non-cash tips:	\$	<i>N/A</i>	

17 **II. QUESTION 7 – NON-WAGE PROPERTY**

18 (Including, but not limited to, tribal per capita, all retirement, pension, 401(k) plans, etc.)

19 7.	The Garnishee has possession, custody or control of the following property (non-earnings), in which the Defendant maintains a substantial nonexempt interest as described in detail below:		
20	<u>Description of Property</u> (Ex. Tribal per capita distributions, Private 401(k); public employees' pension under State code section, bank accounts, articles of deposit, etc.)	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u> (Ex. vested and if not when will vest, eligible to withdraw, lump sum withdrawal or only monthly payments and amount, etc.)

1 2 3 4 5 6 7 8 9	A. <i>NONE</i>	\$ 0	 <i>NONE</i>
	B.	\$	
	C.	\$	

III. QUESTIONS 8 THROUGH 9 TO BE ANSWERED BY ALL GARNISHEES

10 11 12 13 14	8. Have there been previous garnishments in effect? If yes, please describe below.	Yes	No	<input checked="" type="checkbox"/>

15 16 17 18 19 20 21	9. Garnishee anticipates owing the following amounts to the Defendant/Judgment Debtor in the future:	
	<u>Amount</u>	<u>Estimate Date or Period Due</u>
A.	\$ <i>NONE</i>	
B.	\$	
C.	\$	

22 **IV. Check the applicable line below if you deny that you hold property subject to this
23 Writ of Continuing Garnishment. Also state in the space provided the basis for your denial.**

24 The Garnishee was in no manner and upon no account indebted or under liability to the
25 Defendant/Judgment Debtor, Maziar Rezakhani, and that the Garnishee did not have in
26 its possession, custody or control, any property belonging to the Defendant/Judgment
27 Debtor, or in which the Garnishee has an interest, and is in no manner liable as
28 Garnishee.

24 The Garnishee makes the following claim of exemption on the part of
25 Defendant/Judgment Debtor. (Attach separate sheet if necessary):

1 The Garnishee has the following objections, defenses, or set-offs to the United States' right to apply Garnishee's indebtedness to the Defendant/Judgment Debtor to the United States' claim. (Attach separate sheet if necessary):

2 V. The Consumer Credit Protection Act ("CCPA"), 15 U.S.C. § 1673(a), for disposable earnings, may apply. 15 U.S.C. § 1673(a) provides that the aggregate disposable earnings of an individual for any workweek which is subject to garnishment may not exceed (1) 25% of his disposable earnings for that week, or (2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage in effect at the time the earnings are payable, whichever is less.

3 In the case of earnings for any pay period other than a week, the Secretary of Labor should by regulation prescribe a multiple of the Federal minimum hourly wage equivalent in effect to that set forth under number 2, above.

4 **Please check the box if you believe the CCPA applies.**

A.	If you checked the box, please explain why:
B.	Has your calculation, under Section II above, applied the CCPA requirement? <input type="checkbox"/> YES <input type="checkbox"/> NO

5 On July 17th, 2017, the Garnishee mailed via First Class Mail: (1) the Original Answer to the United States District Court Clerk for the Western District of Washington at: 700 Stewart Street, Lobby Level, Seattle, WA 98101; (2) a copy of this Answer to the Defendant/Judgment Debtor, Maziar Rezakhani, Register No. 45308-086, FDC SeaTac, Federal Detention Center, P.O. Box 13900, Seattle, WA 98198, and (3) a copy of this Answer to the United States Attorney for the Western District of Washington, Assistant United States Attorney, Kyle Forsyth, Attn: Financial Litigation Unit, 700 Stewart Street, Suite 5220, Seattle, WA 98101.

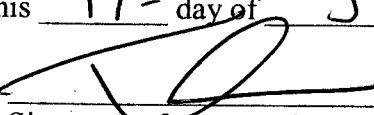
6 PREPARED BY (Print or Type): Troy Curran

7 TITLE: _____

8 TEL. NO. OF PREPARER: 360-220-1385

9 I declare, certify, verify or state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

10 Executed on this 17th day of July, 2017

11 
Signature of person who prepared the Answer

ATTACHMENT TO ANSWER OF GARNISHEE

The Original Answer must be mailed to:

Clerk, United States District Court
700 Stewart Street, Lobby Level
Seattle, WA 98101

and a copy of this Answer to:

1. United States Attorney's Office for the Western District of Washington
Assistant United States Attorney Kyle Forsyth
Attention: Financial Litigation Unit
700 Stewart Street, Suite 5220
Seattle, WA 98101
2. Maziar Rezakhani, Register No. 45308-086
FDC SeaTac
Federal Detention Center
P.O. Box 13900
Seattle, WA 98198

**I. CLAIM FOR EXEMPTION FORM
(EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613))**

II. NOTICE OF CONSUMER CREDIT PROTECTION ACT FORM

NOTE: 18 U.S.C. § 3613(a), the federal statute governing liens arising from criminal fines and restitution obligations, generally incorporates the exemptions available to individual taxpayers under the Internal Revenue Service Code.

I. I claim that the exemption(s) from enforcement checked below apply in this case:

1. Wearing apparel and school books.--Such items of wearing apparel and such school books as are necessary for the debtor or for members of his family.
2. Fuel, provisions, furniture, and personal effects.--So much of the fuel, provisions, furniture, and personal effects in the debtor's household, and of the arms for personal use, livestock, and poultry of the debtor, as does not exceed **\$9,200.00** in value.
3. Books and tools of a trade, business, or profession.--So many of the books, and tools necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate **\$4,600.00** in value.
4. Unemployment benefits.--Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State or of the District of Columbia or of the Commonwealth of Puerto Rico.
5. Undelivered mail.--Mail, addressed to any person, which has not been delivered to the addressee.
6. Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code.
7. Workmen's Compensation.--Any amount payable with respect to compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.

8. Judgments for support of minor children.--If debtor is required by judgment of a court of competent jurisdiction, entered prior to the date of levy to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.
9. Certain service-connected disability payments.--Any amount payable to an individual as a service-connected [within the meaning of Section 101(16) of Title 38, United States Code] disability benefit under--(A) Subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38.
10. Assistance under Job Training Partnership Act. --Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.

II. The Consumer Credit Protection Act, at 15 U.S.C. Section 1673(a), restricts the maximum part of the aggregate "disposable earnings" of an individual which may be garnished. (The definition for disposable earnings is at 15 U.S.C. Section 1672(b).) The aggregate earnings of an individual for any workweek which is subject to garnishment may not exceed (1) 25% of his disposable earnings for the week, or (2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage in effect at the time the earnings are payable, whichever is less.

In the case of earnings for any pay period other than a week, the Secretary of Labor should, by regulation, prescribe a multiple of the Federal minimum hourly wage equivalent in effect to that set forth under number (2), above. Please check "yes" below, if you believe this applies to your garnishment, and explain why:

Yes

Why _____

Digitized by srujanika@gmail.com

The statements made herein are made and declared under penalty of perjury that they are true and correct.

Defendant/Judgment Debtor Printed or Typed Name

Signature of Defendant/Judgment Debtor Date